

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

**CLEARLINE TECHNOLOGIES
LTD.,**

Plaintiff,

v.

COOPER B-LINE, INC.,

Defendant.

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No. 4:11-CV-01420

**AGREED AND JOINT MOTION FOR RELIEF FROM JUDGMENT UNDER
FEDERAL RULE OF CIVIL PROCEDURE 60(B)**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Clearline Technologies Ltd. and Cooper B-Line, Inc. file this agreed and joint motion for relief from the final judgment signed on April 29, 2014 (Doc. 218).

1. On April 29, 2014, this Court signed a final judgment. (Doc. 218).
2. Following Cooper B-Line's appeal of the final judgment and Clearline's cross-appeal, Clearline and Cooper B-Line have reached a mutual release and settlement of all claims existing between them, and Clearline has released Cooper B-Line from any obligation on, under, or arising out of this Court's final judgment.
3. The parties have filed a separate motion to release the supersedeas bond filed by Cooper B-Line and approved by this Court.

4. Federal Rule of Civil Procedure 60(b) provides that, on motion and just terms, the court may relieve a party from a final judgment when the judgment has been released or discharged and/or for any other reason that justifies relief. FED. R. CIV. P. 60(b)(5) & (6).

5. Because the parties have settled their dispute and Clearline has released Cooper from any obligation under the final judgment (Doc. 218), Clearline and Cooper together ask this Court to grant relief under Rule 60(b) and to vacate the final judgment as to Cooper B-Line, Inc.

PRAYER

Clearline Technologies, Ltd. and Cooper B-Line, Inc. ask the Court to grant this motion and to vacate the final judgment as to Cooper B-Line, Inc. Clearline Technologies, Ltd. and Cooper B-Line, Inc. also ask for any and all further relief to which they may be entitled.

Respectfully submitted,

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CERTIFICATE OF SERVICE

A true and correct copy of the foregoing document was filed with the Court's ECF system and was served via electronic means through transmission facilities from the Court upon those parties authorized to participate and access the Electronic Filing System for the Southern District of Texas.

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Dated: July 15, 2015